

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES -- GENERAL

Case No. **CV 15-4115-JFW (PJWx)**

Date: July 8, 2015

Title: Maria M. Flores De Ramirez -v- Select Portfolio Servicing, Inc., et al.

PRESENT:

HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE

Shannon Reilly
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

None

ATTORNEYS PRESENT FOR DEFENDANTS:

None

PROCEEDINGS (IN CHAMBERS):

ORDER DISMISSING ACTION WITHOUT PREJUDICE;

ORDER DENYING AS MOOT DEFENDANT BANK OF AMERICA, N.A.'S MOTION TO DISMISS [filed 6/5/15; Docket No. 9]; and

ORDER DENYING AS MOOT DEFENDANT SELECT PORTFOLIO SERVICING, INC.'S MOTION TO DISMISS COMPLAINT FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED [filed 6/8/15; Docket No. 13]

On June 29, 2015, the Court issued an Order to Show Cause ("OSC"), ordering Plaintiff Maria M. Flores De Ramirez's ("Plaintiff") counsel, John Earl Mortimer ("Mortimer"), to show cause in writing by July 6, 2015 why he should not be sanctioned in the amount of \$3,000 or why this action should not be dismissed for his continued violation of the Local Rules and the Court's Standing Order. In the OSC, the Court specifically stated that "[f]ailure to respond to the Order to Show Cause will result in the dismissal of this action." Mortimer has failed to respond to the Court's OSC. Accordingly, the Court hereby **DISMISSES** this action **without prejudice**. See Fed. R. Civ. P. 41(b); *see also Yourish v. California Amplifier*, 191 F.3d 983, 986-88 (9th Cir. 1999); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992).

In light of the Court dismissing this action, Defendant Bank of America, N.A.'s Motion to Dismiss and Defendant Select Portfolio Servicing, Inc.'s Motion to Dismiss Complaint for Failure to State a Claim Upon Which Relief Can Be Granted are **DENIED as moot**.

IT IS SO ORDERED.